

Lahontan Water Board Program Fact Sheet FY 2014-15

Enforcement

Overview

The Enforcement Program's primary responsibilities are:

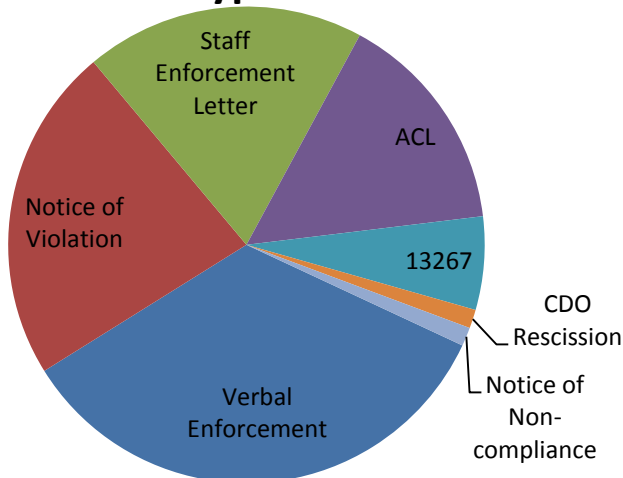
- Evaluating and prioritizing violations of water quality protection laws, regulations, and permits.
- Effectively initiating and following through on enforcement actions/strategies intended to reestablish compliance, to address environmental damage, and to deter future violations.
- To coordinate with other Regional Water Boards and the State Water Board in pursuing multi-region or state-wide enforcement actions; and to improve enforcement consistency and effectiveness.

These actions are conducted under federal and state law, and the State Water Board's Water Quality Enforcement Policy, with one allocated position and with resources from other programs.

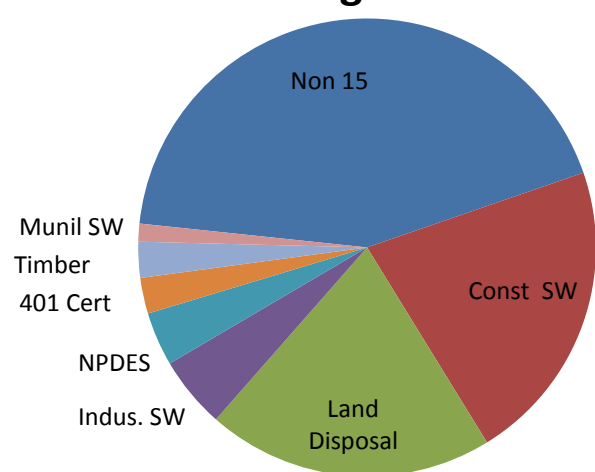
Goals

- Enforce against violations that have adversely affected groundwater quality. Emphasis is placed on providing safe drinking when necessary, eliminating the pollutant source, and then cleanup. Examples include dairies, wastewater treatment facilities that infiltrate treated effluent.
- Continue an effort initiated in FY 2013/2014 to enforce the annual reporting requirements for the NPDES Industrial and Construction Storm Water Programs. The annual reports provide information on a Discharger's BMPs, discharge quality, and corrective actions on an annual basis. Improving submittal rates and following through on non-compliant sites should result in significant storm water quality improvements.
- Enforce against violations where the violations are creating adverse impacts to surface water quality and beneficial uses. Examples include unauthorized discharges of sewage, hazardous waste, and dredged and/or fill materials to creeks, springs, rivers, lakes, and wetlands.
- Implement action items identified through the Water Board's Enforcement Subcommittee that are intended to improve program efficiency and effectiveness.

Types



Programs



Accomplishments

Spalding Tract Onsite Wastewater Systems: Water Board staff continues to implement a comprehensive enforcement strategy to bring all Spalding Tract property owners into compliance with Basin Plan prohibitions against the discharge of waste containing nutrients to groundwater and surface water within the Eagle Lake basin. The Water Board adopted one Administrative Civil Liability Order and one Cease and Desist Order. The Water Board also rescinded 12 Cease and Desist Orders for property owners that had come into compliance. Staff expects that by the end of June 2015, all but two out of over 600 property owners will be in compliance with the Basin Plan. Staff will be taking additional steps to bring these remaining property owners into compliance by the end of 2015.

Arimol-Serenity Lodge: Water Board staff continues to work towards surface water restoration and mitigation, in accordance with Cleanup and Abatement Order requirements. Arimol did implement creek and willow wetland restoration activities during the summer/fall 2014. Some additional impacts analysis will be completed in February 2015, and staff expects that Arimol, with input from staff and other agency staff, will develop and implement a mitigation plan for temporal and permanent surface water impacts during the spring/summer of 2015.

Dairies: Water Board staff continues to work with the property owners of the former N&M Dairy to implement the terms of the Settlement Agreement and Cleanup and Abatement Order that were adopted December 12, 2013. The property owners have been granted additional time to develop an approximately 300-acre conservation easement that includes the Mojave River channel and floodplain. Water Board staff also continues to work with other dairies to address groundwater nitrate/TDS pollution due to past and ongoing dairy waste discharge practices. Staff is pursuing Cleanup and Abatement Orders requiring replacement water be provided to residents whose drinking water wells have been polluted by a number of dairies. Cleanup and Abatement Orders are also being developed to address the dairy waste discharge practices that have caused groundwater nitrate/TDS pollution.

Supplemental Environmental Project Program: The Water Board initiated its pilot SEP Program by providing the Truckee River Watershed Council with over \$700,000 to fund all or portions of three restoration projects in the Truckee River watershed. Staff is preparing to initiate the next phase of the Water Board's SEP program, which involves reaching out to and developing partnerships with several watershed groups that will identify potential SEP projects, and implement such projects upon receiving funding from administrative civil liabilities imposed by the Water Board. The outreach and partnership development activities will begin March 2015 and staff is hopeful that several partnerships will be in place summer/fall 2015.

Performance targets for this year – Progress to date

- **Mandatory Minimum Penalties – Performance target is to address 100 percent of MMP violations within 18 months discovery.**

Water Board staff is working to resolve violations subject to MMPs at four facilities. Susanville WWTP, VVWRA WWTP, Hot Creek Hatchery, and Fish Springs Hatchery. Staff anticipates resolving all MMP violations at each of these facilities by the end of June 2015.

- **Priority 1 Violations – Performance target is to take formal enforcement action against 100 percent of Priority 1 Violations within 18 months of discovery.**

All Priority 1 violations identified in the past 18 months have been or continue to be addressed by formal enforcement actions.

- There are a number of older Priority 1 violations (prior to the creation of this performance target) that have been addressed through informal enforcement action. No formal enforcement action will be taken in response to these older Priority 1 violations previously addressed with informal enforcement.

Performance targets for next year

- **Same Performance Targets as above.**